

170

ORDINANCE NO. 474

**REPLACING ORDINANCE NO. 472
TURNIPSEED ANNEXATION ORDINANCE**

AN ORDINANCE OF THE CITY OF HAYDEN, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, TO REPLACE ORDINANCE NO. 472 AS THE TURNIPSEED ANNEXATION ORDINANCE; PROVIDING FOR ANNEXATION OF TWO PARCELS OF LAND TOTALING APPROXIMATELY 22 ACRES; PROVIDING ZONING OF THE PROPERTY SO ANNEXED AS RESIDENTIAL (R-1); PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the owner of the real property referenced in Section 1, has petitioned the City Council of the City of Hayden for annexation of said properties and the subsequent zoning of said properties as Residential (R-1); and

WHEREAS, public hearings were held before both the Planning & Zoning Commission on April 6, 2009 and the City Council on May 12, 2009, in accordance with law, testimony taken, findings of fact and conclusions of law reached; and

WHEREAS, the City Council, based upon the recommendation of the Planning and Zoning Commission and upon its own finding, determined that said annexation is provided for under existing law in that the land in question adjoins the corporate limits, that the proposed zoning is suitable and compatible with surrounding land uses and that said land uses would fit in with the general development of the City and would be in the best interest of the citizens of the City of Hayden; and

WHEREAS, the Hayden City Council did adopt Ordinance 472 on the 9th day of June, 2009 to annex said properties; and

WHEREAS, Ordinance 472 contained an error in the legal description of the properties being annexed; and

WHEREAS, the Hayden City Council adopts this Ordinance to replace Ordinance No. 472 as the Turnipseed Annexation Ordinance in order to correct the legal description contained in Section 1 of Ordinance No. 472 and to provide a new ordinance number with the correct legal description.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO, AS FOLLOWS:

Turnipseed Replacement Annexation Ordinance - 1

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AUG 17 2009

TECHNICAL SUPPORT

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SECTION 1: That the following described properties contiguous and adjacent to the city of Hayden, to wit:

Parcel 1

A portion of the Northeast Quarter of the Northwest Quarter of Section 12, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho as follows:

Beginning at the Southwest corner of the Northeast Quarter of the Northwest Quarter, said point also being the Northeast corner of First Addition to Pineview Estates, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats at Page 188; thence along West line of said Northeast Quarter of the Northwest Quarter, North 0°37', West 879.41 feet to a point; thence North 89°57'30" East, 490 feet; thence parallel to the West line of the Northeast Quarter of the Northwest Quarter South 0°37' East, 879.41 feet to the South line of the Northeast Quarter of the Northwest Quarter; thence along said South line South 89°57'30" West, 490 feet to the True Point of Beginning.

Parcel 2

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 12, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of the Northeast Quarter of the Northwest Quarter, said point also being the Northeast corner of the First Addition to Pineview Estates, Kootenai County, Idaho, according to the plat recorded in Book D of Plats at Page 188; thence, along the South line of the Northeast Quarter of the Northwest Quarter, North 89°32' East, 490 feet to the TRUE PLACE OF BEGINNING; thence, North 89°32' East, 834.50 feet to the Southeast corner of the Northeast Quarter of the Northwest Quarter; thence along the Rimrock as follows:

North 10°31'30" West, 210.81 feet; North 19°19'30" West, 160.79 feet; North 17°08' West, 174.57 feet; North 13°22'30" West, 217.07 feet to a point; thence, leaving said Rimrock South 89°28' West, 648.89 feet to a point; thence, South 0°37' East, to the South line of the Northeast Quarter of the Northwest Quarter and the True Place of Beginning.

be and the same is hereby annexed to and declared to be a part of the city of Hayden, Kootenai, Idaho.

SECTION 2: That the Hayden official zoning map be amended to include and designate the annexed property which is described in Section 1, as Residential (R-1).

SECTION 3: That this Ordinance shall be in full force and effect upon its passage, approval and publication according to law.

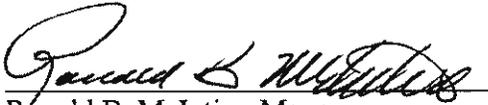
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AUG 17 2009

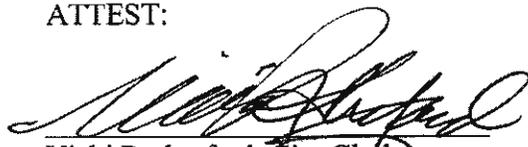
TECHNICAL SUPPORT

Enacted by the city council as an ordinance of the city of Hayden on the 28th day of July, 2009.

APPROVED by the Mayor this 30th day of July, 2009.


Ronald B. McIntire, Mayor

ATTEST:


Vicki Rutherford, City Clerk



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AUG 17 2009
TECHNICAL SUPPORT

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ORDINANCE # 474

EXHIBIT OF ANNEXATION ORDINANCE

ANNEXATION FILE NO. _____
AREA TO ANNEX 12.620 ACRES

PORTION OF NE 1/4 OF THE NW 1/4 OF SEC. 12,
T51N., R4W, B.M., KOOTENAI COUNTY, IDAHO

7/22/09



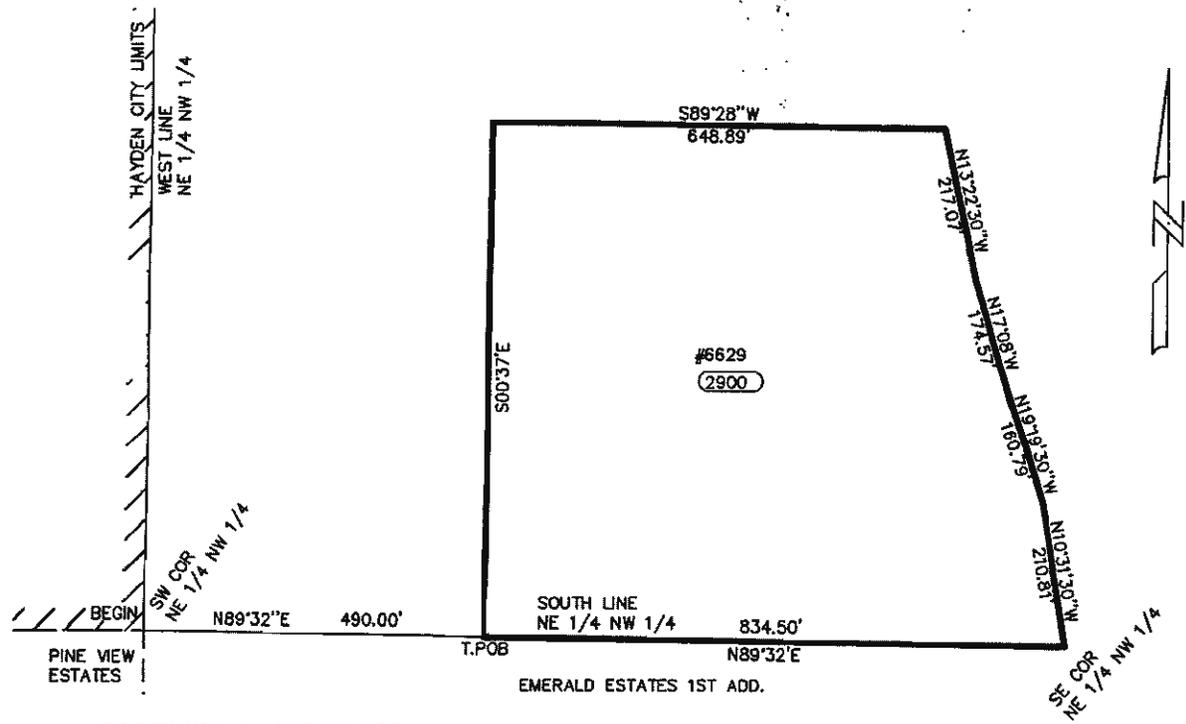
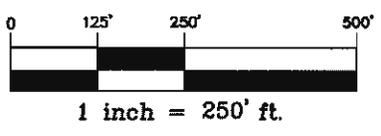
ANNEXATION LEGAL DESCRIPTION

Parcel 2

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 12, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

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09-276 Annex revised2.DWG Parcel 2

DURTSCHI & ASSOCIATES
CIVIL ENGINEERING, SURVEYING, LAND USE PLANNING,
LANDSCAPE ARCHITECTURE
A Division of Storhaug Engineering, Inc.

9751 N. GOVERNMENT WAY, SUITE 5
HAYDEN, IDAHO 83835
PHONE: (208) 772-2233



CALL BEFORE YOU DIG: 811

ANNEXATION EXHIBIT			
PARCEL 2			
HAYDEN, IDAHO			
DRAWN	DJA	DATE	7/22/09
CHECKED	MM	SCALE	1" = 250'
		EXHIBIT	1
		PROJECT	H09-276

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AUG 17 2009

TECHNICAL SUPPORT

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ORDINANCE # 474

EXHIBIT OF ANNEXATION ORDINANCE

ANNEXATION FILE NO. _____
AREA TO ANNEX 9.892 ACRES

PORTION OF NE 1/4 OF THE NW 1/4 OF SEC. 12,
T51N., R4W, B.M., KOOTENAI COUNTY, IDAHO

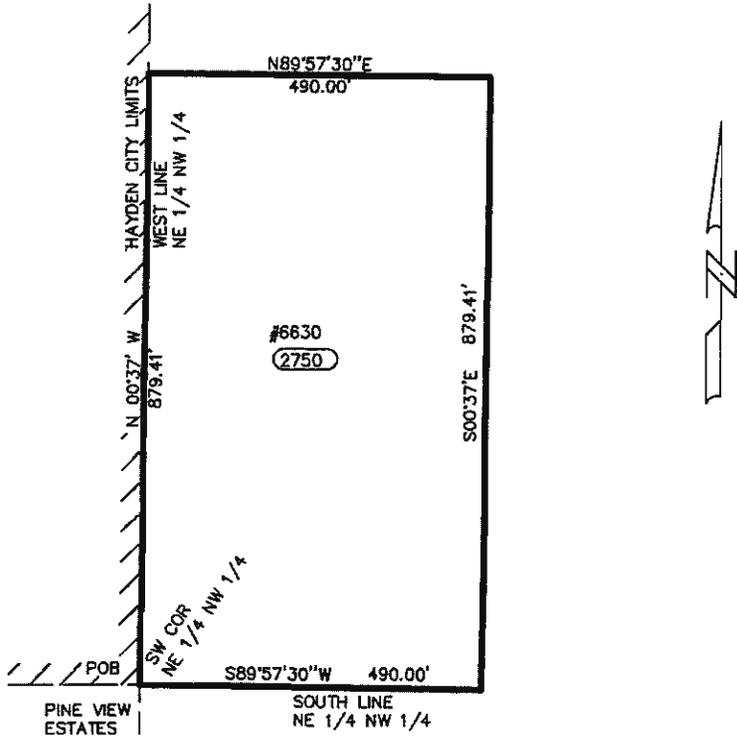
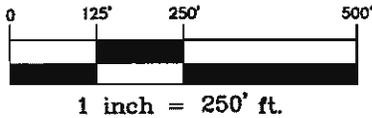
ANNEXATION LEGAL DESCRIPTION

Parcel 1

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7/22/09



09-276 Annex revised2.DWG Parcel 1

DURTSCHI & ASSOCIATES

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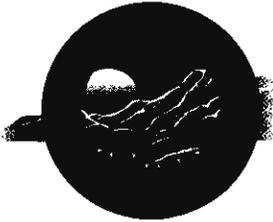
CALL BEFORE YOU DIG: 811

ANNEXATION EXHIBIT			
PARCEL 1			
HAYDEN, IDAHO			
DRAWN	DJA	DATE	7/22/09
CHECKED	MM	SCALE	1" = 250'
		EXHIBIT	1
		PROJECT	H99-276

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TECHNICAL SUPPORT



8930 N. Government Way Hayden, Idaho 83835

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July 30, 2009

AUG 17 2009

STATE TAX COMMISSION

State Tax Commission
PO Box 76
BOISE, ID 83707-0076

RE: New or Altered Taxing District/RAA Boundary Documentation
Recorded as Number 2224976000 XK

Enclosed is a copy of the ordinance, legal description, and map recorded as number 2224976000 XK associated with the annexation of property to the City of Hayden, Idaho, noted in these documents. If you have any questions, please feel free to call me at (208)209-2013.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Rutherford".

Vicki Rutherford, SPHR
City Clerk/HR Director

Enc.